REMARKS

These amendments and remarks are in response to the Office Action dated April 5, 2011. Applicant requests a three-month extension of time and authorization is given to charge all appropriate fees to Deposit Account No. 50-0951.

At the time of the Office Action, claims 1-7 were pending. In the Office Action, claims 1-7 were rejected under 35 U.S.C. §103(a). The rejections are discussed in more detail below.

I. Rejections to the claims based upon Art

Claims 1-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over PCT Publication No. WO02/074,427 to Bedetti ("*Bedetti*") in light of U.S. Patent No. 2,635,684 to Joscelyne ("*Joscelyne*"). Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Bedetti* and *Joscelyne*, in light of U.S. Patent No. 3,836,611 to Mavrovic ("*Mavrovic*".) Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Bedetti* and *Joscelyn* and *Mavrovic*, in light of U.S. Patent No. 4,338,878 to Mason et al. ("*Mason*"). Claim 1 is believed to be patentable over these references.

In *Bedetti*, the expression "fluidification and cooling air A" is intended to mean a flow of air which is blown from below into a granulation container, in which it forms a fluid bed. That is why air A is called "fluidification air." At the same time it removes the solidification heat of the growth fluid fed onto the seeds and onto the growing granules, making the growth liquid to solidify onto seeds and growing granules, which is why air A is also called "cooling air". In this respect the Examiner is referred to *Bedetti*, page 5, lines 6-13 and 24-30.

Thus, *Bedetti* merely discloses and suggests a process for forming granules, in which the fluidification of the fluid bed and the solidification step of the growth liquid onto the seeds and growing granules are carried out by the same flow of air A blown from below into the granulation container. The fluidification and cooling air A has neither the purpose nor the function of cooling the granules once formed.

Therefore, according to *Bedetti* the expression "cooling air" should not be understood or interpreted as a flow of air that cools down the formed granules. In the disclosure and teaching of

Bedetti "cooling" means solely and exclusively the action of solidifying the growth fluid fed onto seeds and growing granules which are present inside the granulation container. In *Bedetti* the term "cooling" associated to the expression "fluidification and cooling air A" is not related to the formed granules discharged from the granulation container. Giving a different meaning to such term would contradict the disclosure and spirit of *Bedetti*.

This is also confirmed by the embodiment of Figure 5 of *Bedetti* referred to by the Office Action when mentioning page 9, lines 10-14. According to this embodiment, the formed granules fall down by gravity through the slits 14 of the container 12 and are collected on a moving belt 17 (see *Bedetti* page 10, lines 11-16). There is no suggestion in the embodiment of Figure 5 of further cooling (through a flow of air) of the formed granules collected on the moving belt 17.

Thus, the subject matter of present claim 1 differs from *Bedetti* not only by the fact that cooling of the formed granules takes place in a separate fluidized bed using a same air flow but also by the claimed feature of cooling the formed granules.

A person of ordinary skill in the art starting from *Bedetti* would not have recognized that in order to arrive at the present claims, the formed granules obtained in *Bedetti* need to be cooled, that such cooling should take place in a second separate fluid bed and that for cooling the formed granules in the second fluid bed, the same air of fluidification used in the granulation fluid bed should be used.

This is true also in light of the disclosure and teaching of *Joscelyne*. In this respect, it is noted that the Office Action's objection on obviousness of claim 1 over *Bedetti* in light of *Joscelyne* is based on the assumption that the present claims differ from *Bedetti* only for the distinguishing feature of cooling the formed granules in a separate second fluid bed operated by a same air flow, a distinguishing feature which the Office Action asserts would have been suggested by *Joscelyne*. However, as seen above, *Bedetti* also fails to disclose the claimed feature of cooling (through a flow of air) the formed granules. Such an additional distinguishing feature is of relevance for the assessment of inventive step of the claimed process and is believed to be non-obvious.

With respect to *Joscelyne*, the following observations are noted in addition to the arguments already set forth in the previous responses. According to *Joscelyne*, the formed, finished granules are only obtained in the second fluid bed G, where the granules are finally dehydrated (see column 3, lines 1-3). The shaping of the granules to their final size is only terminated after being subjected to final dehydration in the fluid bed G. This is also confirmed by *Joscelyne*, column 2, lines 49-50, wherein it is stated that in the first fluid bed E merely moist granules are obtained. It is thus not appropriate to compare the granulation fluid bed of claim 1 with the fluid bed E of *Joscelyne* and the second cooling fluid bed with the fluid bed G. In the claimed process, formed granules are already obtained in the granulation fluid bed, while according to *Joscelyne*, the formed granules are obtained only in the second bed G. Therefore, supposing to compare the claimed process with the process taught in *Joscelyne*, it can be asserted that according to the present claims the granules are formed in a granulation fluid bed and then - once formed - cooled in a second, separate cooling fluid bed, on the contrary in *Joscelyne* the granules are formed to their final size and cooled in a same fluid bed G (column 3, lines 2-3). It follows that, as for *Bedetti*, also in *Joscelyne* the claimed features of cooling the formed granules in a separate fluid bed is totally missing. The skilled person starting from *Bedetti* and looking in *Joscelyne* would have thus not obtained the claimed process, the latter being only possible with the exercise of an inventive skill.

Nevertheless, in order to expedite an allowance of the claims, Applicant has amended claim 1 to better distinguish the subject matter of the claimed process from the prior art as follows:

> A fluid bed granulation process of a predetermined substance, comprising:
> forming granules in a granulation fluid bed through continuous growth of solid seeds of said predetermined substance, continuously fed into the granulation fluid bed at the same time as a flow of an appropriate growth substance in a liquid state; and
> discharging the formed finished granules from said granulation fluid bed and feeding said granules in a second, cooling fluid bed;
> cooling the formed finished granules in [[a]] said second, cooling fluid bed;
> wherein a same flow of fluidification air is used to form and continuously support the granules, the flow of fluidification air arranged to flow in order first through said cooling fluid bed and then through said granulation fluid bed, which are substantially arranged in series with respect to said flow.

Proper support for the amendments may be found, for example, in the description as filed, page 7, lines 6-12, 15-22.

Applicant has amended claim 3 to include features of dependent claim 6. Dependent claim 6 has been cancelled. In this respect, it is noted that the claimed pocket (18) putting the cooling fluid bed in communication with the outside is neither disclosed nor suggested in any of the cited documents of *Bedetti*, *Joscelyne* or *Mavrovic*. The air inlet opening 7 of *Mavrovic* mentioned in the Office Action cannot be compared or confused with the pocket 18 as recited in present claim 3, which serves to discharge the cooled finished granules from the cooling fluid bed to the outside of the apparatus.

For the above reasons, the subject matter of claims 1 and 3 are patentable over the cited prior art. Similar arguments apply to dependent claims 2 and 4-7, which are believed to be allowable because of their dependence upon an allowable base claim, and because of the further features recited. All claims are thus believed to relate to patentable subject matter, and to be in condition for allowance.

II. Conclusion

Applicants have made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicants respectfully request reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

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